

4-2-120CCONDITIONS ASSOCIATED WITH
DEVELOPMENT STANDARDS TABLES FOR
COMMERCIAL ZONING DESIGNATIONS

1. Includes principal arterials as defined by the Arterial Street Plan and depicted in RMC [4-2-080E](#).
2. The following table indicates the maximum requested size/standard change that may be allowed by conditional use permit. Increases above these levels may not be achieved by a variance or the conditional use permit process.

APPLICABLE ZONE	STANDARD CHANGE REQUEST	CONDITIONAL USE PERMIT TYPE
CN	Uses restricted to 3,000 gross s.f. – increases: Between 3,000 – 5,000 s.f. max.	H
CN	Uses restricted to 5,000 gross s.f. – increases up to: 10% or 500 gross s.f.	AD
	20% or 1,000 gross s.f.	H
Puget and Sunset Business Districts in the CA Zone	Uses restricted to 35,000 gross s.f. – increases up to: 20% or 7,000 gross s.f.	AD
	40% or 14,000 gross s.f.	H
All of the CV Zone and NE 4th Business District in the CA Zone	Uses restricted to 65,000 gross s.f. – increases up to: 20% or 13,000 gross s.f.	AD
	40% or 26,000 gross s.f.	H
H = Hearing Examiner Conditional Use AD = Administrative Conditional Use		

3. These provisions may be modified by the Reviewing Official through the site development plan review process where the applicant can show that the same or better result will occur because of creative design solutions, unique aspects or use, etc., that cannot be fully anticipated at this time.
4. Provided that a solid six foot (6') barrier wall is provided within the landscape strip and a maintenance agreement or easement for the landscape strip is recorded. A solid barrier wall shall not be located closer than five feet (5') to an abutting lot zoned R-1, R-4, R-8, R-10, R-14, or RM-I.
5. The Reviewing Official may modify the sight-obscuring provision in order to provide reasonable access to the property through the site development plan review process.
6. In no case shall building height exceed the maximum allowed by the Airport Compatible Land Use Restrictions, for uses located within the Federal Aviation Administration Airport Zones designated under RMC [4-3-020](#).
7. Abutting is defined as "Lots sharing common property lines."
8. Adjacent is defined as "Lots located across a street, railroad or right-of-way, except limited access roads."
9. Use-related provisions are not variable. Use-related provisions that are not eligible for a variance include: building size, units per structure/lot, or densities. Unless bonus size or

density provisions are specifically authorized, the modification of building size, units per structure, or densities requires a legislative change in the code provisions and/or a Comprehensive Plan amendment/rezone.

10. Heights may exceed the maximum height under Hearing Examiner conditional use permit.

In consideration of a request for conditional use permit for a building height in excess of ninety five feet (95') the Hearing Examiner shall consider the following factors in addition to the criteria in RMC [4-9-030](#), Conditional Use Permits, among all other relevant information:

a. Location Criteria: Proximity of arterial streets which have sufficient capacity to accommodate traffic generated by the development. Developments are encouraged to locate in areas served by transit.

b. Comprehensive Plan: The proposed use shall be compatible with the general purpose, goals, objectives and standards of the Comprehensive Plan, the zoning regulations and any other plan, program, map or regulation of the City.

c. Effect on Adjacent Properties: Buildings in excess of ninety five feet (95') in height at the proposed location shall not result in substantial or undue adverse effects on adjacent property. When a building in excess of ninety five feet (95') in height is adjacent to a lot designated residential on the City Comprehensive Plan, then setbacks shall be equivalent to the requirements of the adjacent residential zone.

d. Bulk: Buildings near public open spaces should permit public access and, where feasible, physical access to the public open space. Whenever practicable, buildings should be oriented to minimize the shadows they cause on publicly accessible open space.

e. Light and Glare: Due consideration shall be given to mitigation of light and glare impacts upon streets, major public facilities and major public open spaces.

11. ~~Reserved.~~ Freestanding signs are restricted to monument signs in the Commercial Arterial zone of the Rainier Avenue Commercial Corridor.

12. Heights may exceed the maximum height by up to fifty feet (50') with bonuses for plazas and other amenities, subject to a Hearing Examiner's conditional use permit.

13. A reduced minimum setback of no less than fifteen feet (15') may be allowed for structures in excess of twenty five feet (25') in height through the site development plan review process.

14. Reserved.

15. The maximum setback may be modified by the Reviewing Official through the site development plan review process if the applicant can demonstrate that the site development plan meets the following criteria:

a. Orients development to the pedestrian through such measures as providing pedestrian walkways beyond those required by the Renton Municipal Code (RMC), encouraging pedestrian amenities and supporting alternatives to single occupant vehicle (SOV) transportation; and

b. Creates a low scale streetscape through such measures as fostering distinctive architecture and mitigating the visual dominance of extensive and unbroken parking along the street front; and

- c. Promotes safety and visibility through such measures as discouraging the creation of hidden spaces, minimizing conflict between pedestrian and traffic and ensuring adequate setbacks to accommodate required parking and/or access that could not be provided otherwise.

Alternatively, the Reviewing Official may also modify the maximum setback requirement if the applicant can demonstrate that the preceding criteria cannot be met; however, those criteria which can be met shall be addressed in the site development plan;

- d. Due to factors including but not limited to the unique site design requirements or physical site constraints such as critical areas or utility easements the maximum setback cannot be met; or

- e. One or more of the above criteria would not be furthered or would be impaired by compliance with the maximum setback; or

- f. Any function of the use which serves the public health, safety or welfare would be materially impaired by the required setback.

16. The following height requests may be made:

APPLICABLE ZONE	HEIGHT CHANGE REQUEST	CONDITIONAL USE PERMIT TYPE
Puget and Sunset Business Districts in the CA Zone	Exceed height by less than 20 feet	AD
All of the CV Zone and NE 4th Business District in the CA Zone	Exceed height of 50 feet	AD
	Exceed height of 45 feet when abutting R-8 or R-10 Zone	H
<u>All of the CA Zone</u>	Exceed <u>maximum</u> height of 50 feet	<u>ADH</u>
H = Hearing Examiner AD = Administrative Conditional Use		

In consideration of a request for conditional use permit for additional building height, the Reviewing Official shall consider the following factors in addition to the criteria in RMC [4-9-030](#), Conditional Use Permits, among all other relevant information.

- a. Location Criteria:** Proximity of arterial streets which have sufficient capacity to accommodate traffic generated by the development. Developments are encouraged to locate in areas served by transit.
- b. Comprehensive Plan:** The proposed use shall be compatible with the general purpose, goals, objectives and standards of the Comprehensive Plan, the zoning regulations and any other plan, program, map or regulation of the City.
- c. Effect on Adjacent Properties:** Building heights shall not result in substantial or undue adverse effects on adjacent property. When a building in excess of the maximum height is proposed adjacent to or abuts a lot designated R-1, R-4, R-8, R-10, R-14 or RM-F, then the setbacks shall be equivalent to the requirements of the adjacent residential zone if the setback standards exceed the requirements of the Commercial Zone.

17. Heights may exceed the maximum height under Hearing Examiner Conditional Use Permit.

18. Allowed Projections into Setbacks:

- a. Steps, and decks having no roof and being not over forty two inches (42") high may be built within a front yard setback.
 - b. Eaves and cornices may project up to twenty four inches (24") into any required setback.
 - c. Accessory buildings when erected so that the entire building is within a distance of thirty feet (30') from the rear lot line may also occupy the side yard setback of an inside lot line.
 - d. Where below-grade structures are permitted to have zero front yard/street setbacks, structural footings may minimally encroach into the public right-of-way, subject to approval of the Planning/Building/Public Works Administrator or his/her designee.
19. Except with approved Master Plan review.
20. "Public Suffix" (P) properties are allowed the following height bonus: Publicly owned structures shall be permitted an additional fifteen feet (15') in height above that otherwise permitted in the zone if "pitched roofs," as defined herein, are used for at least sixty percent (60%) or more of the roof surface of both primary and accessory structures. In addition, in zones where the maximum permitted building height is less than seventy five feet (75'), the maximum height of a publicly owned structure may be increased as follows, up to a maximum height of seventy five feet (75') to the highest point of the building:
- a. When abutting a public street, one additional foot of height for each additional one and one-half feet (1-1/2') of perimeter building setback beyond the minimum street setback required at street level unless such setbacks are otherwise discouraged; and
 - b. When abutting a common property line, one (1) additional foot of height for each additional two feet (2') of perimeter building setback beyond the minimum required along a common property line; and
 - c. On lots four (4) acres or greater, five (5) additional feet of height for every one percent (1%) reduction below a twenty percent (20%) maximum lot area coverage by buildings for public amenities such as recreational facilities, and/or landscaped open space areas, etc., when these are open and accessible to the public during the day or week.
21. Except for existing, legal administrative headquarters offices, pursuant to RMC [4-2-080A](#)17.
22. Reserved.
23. Within the CD Zone, perimeter street landscape strips may utilize a mix of hard surfaces, brick, stone, textured/colored concrete, and natural landscape elements, groundcover, shrubs and trees, to provide a transition between the public streetscape and the private development, subject to Site Plan review, RMC [4-9-200B](#)1, and the general and additional review criteria of RMC [4-9-200E](#)1 and F1, F2, and F7. In no case shall living plant material comprise less than thirty percent (30%) of the required perimeter landscape strip.
24. Reserved.
25. Reserved.

(Ord. 1472, 2-18-1953; Ord. 1905, 8-15-1961; Ord. 4404, 6-7-1993; Ord. 4593, 4-1-1996; Ord. 4773, 3-22-1999; Ord. 4802, 10-25-1999; Ord. 4803, 10-25-1999; Ord. 4854, 8-14-2000; Amd. Ord. 4963, 5-13-2002; Ord. 5028, 11-24-2003; Ord. 5100, 11-1-2004; Ord. 5156, 9-26-2005; Ord. 5191, 12-12-2005; Ord. 5357, 2-25-2008; Ord. 5369, 4-14-2008)